

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

## **JUDGMENT**

Upon consideration of the facts presented before this Court (McConnell, J.) on Plaintiff's Motion for Default Judgment as supported by the affidavit of Crystal Hollins, Assistant Vice President for Rushmore Loan Management Services LLC, there being no objection and for good cause shown, it is hereby

**ORDERED, ADJUDGED, AND DECREED**

Final Judgment is entered for the Plaintiff, U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust, against the Defendants, Robert Ted Brown, Mortgage Electronic Registration Systems, Inc., and the Internal Revenue Service, with prejudice. The Plaintiff, its successors and/or assigns, is authorized to foreclose the subject mortgage recorded with the Town of West Greenwich Land Evidence Records in Book 318, Page 16, which encumbers the subject property located at 199 Hudson Pond Road, West Greenwich, Rhode Island (“Subject Property”), pursuant to R.I.G.L. §§ 34-27-1, *et. seq.*, according to the terms of the

accompanying order. In support of this judgment and order, the Court makes the following findings of fact presented in Plaintiff's pleadings and affidavit:

1. On May 31, 2006, the Defendant, Robert Ted Brown ("R. Brown"), executed a promissory note ("Note") in the original principal amount of \$414,400.00 secured by a mortgage ("Mortgage"). (Doc 14-1 at ¶¶ 4-5).
2. The Plaintiff is the party entitled to enforce the Mortgage as the record mortgagee through a series of recorded assignments transferring the Mortgage interest and claims to be the owner of the Note. (Doc 14-1 at ¶¶ 4, 6).
3. R. Brown has defaulted under the terms of the Note and Mortgage by missing the monthly payments beginning October 1, 2015. (Doc 14-1 at ¶ 7).
4. On April 17, 2017, a notice of default was mailed on behalf of the mortgagee in strict compliance with the terms of the Mortgage. (Doc 14-1 at ¶ 8; Ex. D; *See Woel v. Christiana Trust, as Trustee for Stanwich Mortgage Loan Trust Series 2017-17*, 228 A.3d 339 (R.I. 2020)).
5. The Defendants, R. Brown, Mortgage Electronic Registration Systems, Inc., and the United States Internal Revenue Service, are the only parties holding a junior interest in the Subject Property with rights of redemption to Plaintiff's Mortgage. (Doc 14-1 at ¶ 11).
6. Each of the Defendants were duly served with a copy of a summons and complaint in this case, but have not filed an answer or other responsive pleading in this action. (Docs 5-9).
7. On March 18, 2022, the clerk of this Court entered default against each of the Defendants. (Doc 13).

8. R. Brown remains in breach of his contractual obligations to the Note and Mortgage, with a total outstanding balance owed of \$531,297.19 as of June 30, 2022. (Doc 14-1 at ¶ 12).
9. The Plaintiff is entitled to enforce the statutory power of sale contained in the Mortgage and foreclose on the Subject Property pursuant to the terms of the accompanying order.

Entered this 26th day of August, 2022.

BY ORDER:

/s/Ryan H. Jackson

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Ryan Jackson, Deputy Clerk

Presented by:  
PLAINTIFF,  
By its attorneys,

/s/ Rowdy M. Cloud  
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Date: August 25, 2022